

Department of Agriculture and Industries

Functional Analysis & Records Disposition Authority

**Revision
Presented to the
State Records Commission
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Functional and Organizational Analysis of Department of Agriculture and Industries

Sources of Information

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Shannon Burton, Agriculture Compliance
Darrell Buxton, Shipping Point Inspection
John Crayton, Seed
Rhonny Ray, Investigators
Gloria Ryals, Agriculture Promotions

Code of Alabama 1975, Sections 2-1-1 through 2-31-9; 8-17-80 through 8-17-173

Alabama Administrative Code, Chapters 80-1-1 through 80-13-9

Alabama Government Manual (1998)

Audit Report of the Department of Agriculture and Industries (1995 through 1999)

Department of Agriculture and Industries Annual Report (Fiscal Year 1997-1998)

Government Records Division, Department of Agriculture and Industries records retention schedules

Government Records Division, State Agency Files (1985-ongoing)

Holdings of the Department of Archives and History for Department of Agriculture and Industries

Historical Context

The Department of Agriculture was created by statute in 1883. The department was originally under the control of a commissioner of agriculture appointed by the governor for a term of two years. In 1901, the Alabama Constitution stated that the commissioner would be elected by qualified electors of the state at the same time and places appointed for the election of members of the legislature in 1902 and in every fourth year thereafter. Therefore, the commissioner of agriculture is a constitutional officer. In 1923, the present Department of Agriculture and Industries was created with no change in its original mandate.

Agency Organization

The Department of Agriculture and Industries is administered under the direction of the State Board of Agriculture and Industries. The board is composed of eleven members; four of them are *ex officio* and seven of them are appointed. *Ex officio* members are the governor, the commissioner of the Department of Agriculture and Industries, the director of the Alabama Cooperative Extension System at Auburn University, and the head of the School of Agriculture at Auburn University. The governor appoints seven additional members, subject to Senate confirmation. Four of the appointed members must be farmers and three must be outstanding leaders of industry. No one member representing either the farmers or industry may come from the same congressional district. Appointed members serve terms of office concurrent with that of the governor. The board holds regular meetings on the second Tuesday in February, May, August, and November. A quorum consists of the majority of the board members.

The department is headed by the commissioner of agriculture and industries. The commissioner is a constitutional officer elected by popular election. To qualify for the office, the candidate must be at least 25 years of age, a citizen of the United States for at least seven years, and a resident of Alabama for at least five years preceding the election. The commissioner must be of good character and recognized executive ability, and trained in the practice and science of agriculture. The commissioner serves a four-year term and is eligible for one successive term. An organizational chart is attached.

Agency Function and Subfunctions

The mandated function of the Department of Agriculture and Industries is to promote agriculture and industries within the state and to enforce laws, rules, and regulations relating to agriculture and industries. The department is one of the agencies primarily involved in carrying out the Regulatory function of Alabama government. In the performance of its mandated function, the Department of Agriculture and Industries may engage in the following subfunctions:

- **Promulgating Rules and Regulations.** The State Board of Agriculture and

Industries is authorized, under Code of Alabama 1975, Section 2-3-4, to make and promulgate rules and regulations for the administration of the Department of Agriculture and Industries. The board is also required to cooperate with other national, state, or local agencies in the promotion of agriculture and in the enforcement of matters relating to agriculture. This subfunction encompasses the board's efforts in making, altering, repealing, or amending rules and regulations that are implemented by the department to accomplish its duties and functions vested by law.

- **Regulating.** One of the primary subfunctions of the department is to assure quality products for consumers, to protect the health of livestock/poultry, and to provide fair competition between industries through regulatory process. Various divisions / offices within the department routinely issue licenses/permits, conduct inspections / investigations, collect samples for testings, and perform other related regulatory activities. Departmental staff members may engage in the following activities under this subfunction:

Regulating Agricultural Commodities (Feed, Fertilizer, and Lime Materials). Staff members collect necessary fees and issue licenses/permits to allow companies to manufacture, formulate, and sell their agricultural commodities (feed, fertilizer, and lime materials) in the state. In addition, they conduct regular inspections relative to feeds, fertilizers, and liming materials. To ascertain product compliance with the manufacturer's guarantee, samples are collected by inspectors and referred to the department's laboratories for testing and analysis.

Regulating Livestock and Poultry. The department administers programs to prevent, eradicate, and control infectious diseases of livestock and poultry. Staff members regularly test cattle and swine on farms, at livestock markets, or at slaughter establishments for possible diseases. They also review certificates of veterinary inspection issued by Alabama accredited veterinarians for animals moving into interstate commerce to assure that all required tests and examinations have been properly performed. Under the National Poultry Improvement Plan, all hatching egg supply flocks of primary poultry breeds are selected and tested for hatchery disseminated diseases. All chick and livestock dealers are required to obtain permits and are subject to inspections. Every hatchery in the state is also periodically checked by the department's inspectors. Other activities may include registering livestock brands, providing veterinary diagnostic laboratories, and assisting law enforcement officials with the investigation of farm-related crimes.

Regulating Warehouses/Gins. All state bonded warehouses which store agricultural products, household goods, building materials, clothing, chemicals, and other commodities are subject to permit requirement and regular inspection by the department's personnel. Staff members are also responsible for permitting and checking the operation of gins.

Regulating Plants and Plant Pests. The department has the responsibility for prevention, control, and eradication of pests affecting the agricultural and horticultural interests of the

state. All plant establishments such as nurseries, nursery retailers, sweet potato growers, and honeybee colonies must be inspected and/or certified by the department before plant material or honey bees can be sold or shipped to other states/countries. By act of the state legislature (Alabama Act, 84-746), the Commissioner of Agriculture and Industries is empowered to implement a program of boll weevil eradication in cotton. The program is funded by assessments paid by individual cotton producers to the department which in turn deposits the money with the Boll Weevil Eradication Foundation of Alabama, Inc. The foundation disburses the funds to pay the operating costs of the program.

Regulating Seed. The department is responsible for seed testing and seed law enforcement. Seed dealers must apply for an annual permit and pay a permit fee before conducting business. Staff members collect samples of seeds offered for sale at all wholesale and retail seed outlets. Samples found to be in violation of the seed law must be suspended from sale, destroyed, or have their labeling corrected. Individual farmers or home gardeners are entitled to the seed testing service provided by the department.

Regulating Shipping Point Operations. Operated under federal cooperative agreements with the United States Department of Agriculture, the department maintains field offices at major shipping points across the state to inspect / weigh out-going and in-coming peanuts, soybeans, wheat, corn, potatoes, fruits, vegetables, and tree nuts.

Regulating Food, Drug, and Cosmetic. The department has the responsibility of enforcing food, drug, cosmetic, eggs, and dairy product laws. Enforcement activities include routine/special inspections and testing of samples.

Regulating Meat and Poultry Food Products. To assure consumers clean, wholesome, unadulterated, and properly labeled meat and poultry food products, staff members of the department routinely inspect meat/poultry food products prior to slaughter, and during slaughter and preparation.

Regulating Petroleum Products. In accordance with Code of Alabama, Section 8-17-80, the department regulates the sale, storage, and use of petroleum products in the state. Activities include testing petroleum products, issuing permits, inspecting facilities, collecting fees, and auditing reports submitted by petroleum companies.

Regulating Pesticide Management. Activities include licensing pest control operators and pesticide applicators, and issuing permits to pest control professionals.

Regulating Weights and Measures. To ensure equity in all commercial transactions involving quantity, the department staff certifies, tests, and monitors the use of all weighing and measuring devices such as supermarket scales, gasoline pumps, feed/fertilizer scales, heavy-duty weight scales, and universal price code scanners for accuracy.

- **Promoting.** The department has the responsibility for the promotion of agricultural commodities and value added agricultural products in the state and abroad. To accomplish this goal, departmental staff may design promotional materials (logos, posters, etc.), conduct meetings or farm visits, participate in county fairs or trade shows, hold “Taste of Alabama” products events, and initiate international trade missions. In addition, the department operates the Montgomery State Farmers Market which is designed to increase awareness of farm grown produce.

The department staff is also responsible for coordinating activities relating to the Alabama Agricultural Development Authority (AADA), established by the legislature in 1980 as a public corporation to provide loans or funds for use in agricultural operations.

Another activity in this subfunction is to foster better communications and relationships among farming-related groups. Funded by a federal/state grant, the Alabama Agricultural Mediation Program provides a free mediation service for farmers, their families, creditors, various agencies and businesses that are associated with day-to-day farm operations.

- **Compiling Statistics.** In accordance with the Code of Alabama 1975, Section 2-2-50, the commissioner is responsible for gathering, compiling, and publishing statistics relating to agriculture. The Alabama Agricultural Statistics Service (AASS), operated under a cooperative agreement between the department and the National Agricultural Statistics Service (NASS) of the United States Department of Agriculture, is obligated to collect data from farmers, hatchery workers, poultry processors, livestock dealers, slaughter plants, cotton ginneries, fertilizer dealers, merchants and state/local government entities. The reported data is analyzed and statistics are released for use in planning, marketing, and management decisions by the department and other groups.

In addition, the department personnel gather price and volume information on livestock and grain commodities sold within the state and nation. This marketing information is then released to news media for dissemination.

- **Administering Internal Operations.** A significant portion of the agency’s work includes general administrative, financial, and personnel activities performed to support the programmatic areas of the agency.

Managing the Agency: Activities involved in managing the agency may include internal office management activities such as corresponding and communicating; scheduling; meeting; creating policy and procedures; reporting; litigating; legislating (drafting, lobbying, tracking); publicizing and providing information; managing records; and managing information systems and technology.

Managing Finances: Activities involved in managing finances may include the following: budgeting (preparing and reviewing the budget package, submitting the budget package to

the Department of Finance, documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; and assisting in the audit process.

Managing Human Resources: Activities involved in managing human resources may include the following: recruiting and hiring eligible individuals to fill vacant positions within the agency; providing compensation and benefits to employees; supervising employees (evaluating performance, disciplining, granting leave, and monitoring the accumulation of leave); and providing training and continuing education for employees.

Managing Properties, Facilities, and Resources: Activities involved in managing properties, facilities, and resources may include the following: inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; constructing buildings and facilities; leasing and/or renting offices or facilities; providing for security and/or insurance for property; and assigning, inspecting, and maintaining agency property, including vehicles.

Analysis of Record Keeping System and Records Appraisal of the Department of Agriculture and Industries

Agency Record Keeping System

The agency currently operates a hybrid record keeping system composed of paper and electronic records.

Paper-based Systems: Staff members create and maintain most of the agency's records in paper form.

Computer Systems: The department has a Local Area Network (LAN) configured with a Unisys Aquanta DS/6 server. The server runs a Microsoft Windows NT operating system and Microsoft Exchange Server for communication. The department uses the State Data Center's IBM mainframe as the central repository for information generated by various divisions/offices. There are approximately 75 to 80 users on the LAN. Staff members use Microsoft Outlook for both internal and external e-mail. Information on the server is backed up daily on DLT tapes. Backup tapes are stored on site.

The department maintains a web site at <http://www.agi.state.al.us>. Information available on the web site may include press releases, division data, job opportunities, and phone directory. All of the information is maintained also in paper format.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Department of Agriculture and Industries: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered to be their active life and disposed of once all fiscal, legal, and administrative requirements have been met. Some of the temporary records created by the department are discussed below:

- **Records documenting the application for and the issuance of annual licenses / permits.**
The department staff routinely process applications for various agriculture/industry related permits/licenses. Since all applicants must reapply and renew their permits/licenses every year, these records should only be kept until the completion of one audit review.
- **Records documenting livestock (cattle and swine) and horses disease testing activities.**
These records are created and maintained to document activities relating to the testing in cattle /swine for possible tuberculosis, brucellosis, or pseudo rabies and in horses for equine infectious anemia. Since cattle /swine usually remain in a herd for about ten years, these records should be kept at least for ten years for reference and monitoring purposes. This

retention also coincides with records retention requirements of the United States Department of Agriculture (Animal & Plant Health Inspection Service) for similar records.

- **Petroleum Commodity Certificates for Reduced Inspection Fee Rate.** In accordance with Code of Alabama, Section 8-17-87 (a) (7), kerosene and/or diesel fuel used by consumers in farm tractors for agricultural purposes are eligible for the reduced fee rate of one fortieth of \$.01 per gallon. These records are certificates for reduced fee rate submitted by eligible consumers to the department. The department keeps the completed forms on file for one audit cycle following the termination of the business operation.
- **Transitory Records.** These are records created for short-term, internal purposes, as opposed to those that document the program functions of an agency or perpetuate knowledge. These records are not filed or appropriate for filing because they serve no documentary purpose, such as setting policies, establishing guidelines, etc. Transitory records might include, but are not limited to: telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about department social activities, such as a note to a group going to lunch.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Promulgating Rules and Regulations:

- **Meeting Minutes of the State Board of Agriculture and Industries.** The board is responsible for the adoption of policies, rules, and regulations for the operation of the department. These minutes document proceedings of the regular and special meetings of the board. The Archives has Meeting Minutes of the State Board of Agriculture and Industries created between 1950 and 1984. (RDA page 3-2) (**Bibliographic Title: Meeting Minutes of the State Board of Agriculture and Industries**)
- **Meeting Minutes of the Agricultural Center Board (ACB).** Established in 1945, the board is responsible for leasing and managing properties of the Agricultural Center, known as the Garrett Coliseum, which is located in Montgomery. The board has five members and the commissioner of the Department of Agriculture and Industries is a member *ex officio*. The board's official meeting minutes are maintained by the department's legal office. (RDA page 3-2) (**Bibliographic Title: Meeting Minutes of the Agricultural Center Board**)
- **Meeting Minutes of the Alabama Agricultural and Industrial Exhibit Commission.** The commission was established in 1953 by the legislature to develop and approve overall plans for the distribution of awards and prizes to the Alabama State Fair Authority and the Alabama National Fair. The commission receives staff support from the commissioner of the Department of Agriculture and Industries, who serves as the chairman of the commission. The

commission holds one regular meeting each year and meeting minutes are maintained by the department's legal office. (RDA page 3-2) (**Bibliographic Title: Meeting Minutes of the Alabama Agricultural and Industrial Exhibit Commission**)

- **Meeting Minutes of the Alabama Public Livestock Market Board.** The board was established in 1991 by the legislature with the commissioner of the Department of Agriculture and Industries as its chair. The board reviews applications and issues certificates of charter to livestock business entities. Meeting minutes are the core documentation of the board's function. (RDA page 3-2) (**Bibliographic Title: Meeting Minutes of the Alabama Public Livestock Market Board**)
- **Policies and Procedures Manuals.** This series documents administrative policies and procedures of the department. The manuals establish a course of action for the department's programs and staff members. (RDA page 3-2) (**Bibliographic Title: Policies and Procedures Manuals**)

Regulating:

- **Records documenting the registration of livestock brands.** In accordance to Code of Alabama, Section 2-15-25, the department is required to maintain a complete register of all livestock brands. Information in the files includes names and addresses of registrants, descriptions of brands, and drawings of brands. Brand registration records prior to 1952 are maintained in county probate offices and scheduled as permanent under the records disposition authority approved in 1999. The Archives has in its custody records documenting the registration of livestock brands from 1914 to 1916. (RDA page 3-4) (**Bibliographic Title: Register of Livestock Brands**)
- **Annual Plant Quarantine Activity Summaries.** Part of the department's regulatory responsibilities is to inspect plants imported into the state. Staff members who are in charge of the plant inspection program prepares an annual plant quarantine activity summary to document important activities for the previous year and future plans. Information may contain narrative program summaries, statistics, and related tables. All summaries are prepared according to plant pest categories. (RDA page 3-5) (**Bibliographic Title: Annual Plant Quarantine Activity Summaries**)
- **Boll Weevil Eradication Program Files.** By act of the state legislature (Alabama Act, 84-746) , the commissioner of Agriculture and Industries is empowered to implement a program of boll weevil eradication in cotton. The program is funded by assessments paid by individual cotton producers to the department which in turn deposits the money with the Boll Weevil Eradication Foundation of Alabama, Inc. The foundation disburses the funds to pay the operating costs of the program. Included in these records are articles of incorporation, meeting minutes of the board of directors, and other documents deemed important to the program

(RDA page 3-4) (**Bibliographic Title: Program Files Relating to Boll Weevil Eradication**)

Promoting:

- **“Alabama Experts in the Field” State Logo Program Files.** The goal of the logo program is to promote Alabama produced or manufactured products in state and worldwide marketplaces. Registered with the Office of the Secretary of State, the logo may be used by companies/producers that have applied with the department. Included in these files are official logo program documents, completed application forms, custom made logos for those companies, and other related materials. (RDA page 3-8) (**Bibliographic Title: Logo Program Files**)
- **Informational and Promotional Publications.** The department publishes a variety of publications designed to inform the farmers and the general public on market or price trends or to advertise services offered by the department. Examples of these publications may include Alabama Farm Facts (monthly), Alabama Farmers’ and Consumers’ Bulletins (monthly), Alabama Agricultural Directory (yearly), Alabama Hay Directory (yearly), and various brochures/posters. The Archives has a number of informational and promotional publications created between 1884 and 2000. (RDA page 3-8) (**Bibliographic Title: Informational and Promotional Publications**)
- **News Releases.** This series consists of statements or announcements concerning the department and its activities issued for distribution to the news media and the public. Included may be copies of news releases, published articles, photographs, typescripts of broadcast announcements, and other reference materials used to create the news release. (RDA page 3-8) (**Bibliographic Title: News Releases**)
- **Alabama Century and Heritage Farm Program Files.** This program was designed to recognize and honor those farms that have been in operation as a family farm over a long period of time and have played a significant role in Alabama history. The Century Farm is one that has at least forty acres of land owned by a family continuously for at least 100 years and currently has some agricultural activities. The Heritage Program is for a farm with one or more structures that are over forty years old and has been operated continuously as a family farm for at least 100 years. This series consists of ownership registration forms completed by applicants. Information available on the form includes name, address, telephone number of the applicant, location and acreage of farm, current use of land (crops/livestock produced, number of generations living on the farm, list of structures over forty years old), and detailed data on the history of owners. Photos of structure are also attached to the form. Qualified applicants are awarded certificates of recognition. These records possess historical information on old farms in the state and should be preserved permanently. (RDA page 3-8) (**Alabama Century and Heritage Farm Program Files**)
- **Meeting Minutes of the Alabama Agricultural Development Authority.** The authority was

created to promote development of agriculture in the state. It is empowered to make loans, receive contributions, invest funds, borrow money, sell or exchange property, and issue bonds for the construction of agricultural facilities. The board has seven members, including the commissioner of the Department of Agriculture and Industries, the director of Finance Department, the superintendent of Banking Department, and four appointed members. The board's records, including meeting minutes and other program records, are maintained by the department.(RDA page 3-8) **(Bibliographic Title: Meeting Minutes of the Alabama Agricultural Development Authority)**

- **Annual Reports of the Alabama Agricultural Mediation Program.** The Alabama Agricultural Mediation Program, supported by a federal-state matched grant funding, is designed to ease tensions and to foster creative/factual communications among farmers in the state. Information on the annual report may include program procedures, summaries regarding program effectiveness, statistics of cases disposition, recommendations for improving delivery of mediation services, and estimated savings to the state. Copies of the reports are generally distributed to the federal government, Alabama congressional delegates, and state legislators. (RDA page 3-9) **(Bibliographic Title: Annual Reports of the Alabama Agricultural Mediation Program)**

Compiling Statistics:

- **Detailed Livestock and Hay Quotations.** Departmental personnel routinely gather and compile daily/weekly price and volume information on livestock and grain commodities sold within the state and nation. These reports are released to the media, agricultural community, and the public. These records allow agency staff to track market trends and may be used by researchers to study long-term market trends or prices during a specific time period. Information is only partially summarized in the Annual Alabama Agricultural Statistics (RDA page 3-9) **(Bibliographic Title: Reports of Price and Volume for Livestock and Grain)**
- **Annual Alabama Agricultural Statistics.** This volume is a complete compilation of statistics relating to Alabama agriculture published by the department on a yearly basis. In addition to the state highlights, the publication also contains a county statistical profile section for each of Alabama's 67 counties. These records are of the core research documentation as they provide a comprehensive picture of Alabama agriculture. The Archives has copies of the Annual Alabama Agricultural Statistics published between 1948 and 1998. (RDA page 3-9) **(Bibliographic Title: Annual Alabama Agricultural Statistics)**

Administering Internal Operations:

- **Annual Reports.** The department publishes annually a full report of the operations and administration of the department. The report summarizes the activities of each program for the previous year. The Archives has copies of the Annual Reports dating back to 1883. (RDA: page 3-9) **(Bibliographic Title: Annual Reports)**

- **Commissioner's Administrative Correspondence.** These are correspondence between the commissioner and other federal/state/local government entities or private organizations regarding a wide range of subjects important to the administration and operation of the department. The Archives has the Commissioner's Administrative Correspondence created between 1883 and 1998 (RDA: page 3-9) (**Bibliographic Title: Correspondence**)
- **Opinions of General Counsel.** Part of the responsibilities of the general counsel is the preparation of opinions interpreting agriculture related laws and establishing policy to implement them. These records form part of the core administrative documentation of the department. (RDA: page 3-9) (**Bibliographic Title: Opinions of General Counsel**)
- **Real Property Files.** These records document the ownership of real property and should be maintained permanently in the agency. (RDA page 3-13) (**Bibliographic Title: Real Property Files**)

Permanent Records List

Department of Agriculture and Industries

Promulgating Rules and Regulations:

1. Meeting Minutes of the State Board of Agriculture and Industries
2. Meeting Minutes of the Agriculture Center Board
3. Meeting Minutes of the Alabama Agricultural and Industrial Exhibit Commission
4. Meeting Minutes of the Alabama Public Livestock Market Board
5. Policies and Procedures Manuals

Regulating:

- *1. Records document the registration of livestock brands
- 2. Annual Plant Quarantine Activity Summaries
- *3. Boll Weevil Eradication Program Files

Promoting:

1. "Alabama Experts in the Fields" State Logo Program Files
2. Informational and Promotional Publications
3. News Releases
4. Alabama Century and Heritage Farm Program Files
5. Meeting Minutes of the Alabama Agricultural Development Authority
6. Annual Reports of the Alabama Mediation Program

Compiling Statistics:

- *1. Detailed Livestock and Hay Quotations
- 2. Annual Alabama Agricultural Statistics

Administering Internal Operations:

- 1. Annual Reports
- 2. Commissioner's Administrative Correspondence
- *3. Opinions of General Counsel
- *4. Real Property Files

*indicates records that ADAH anticipates will remain in the care and custody of the creating agency.

Department of Agriculture and Industries Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975, Sections 41-13-5 and 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Department of Agriculture and Industries. The RDA lists records created and maintained by Department of Agriculture and Industries in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for Department of Agriculture and Industries to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Under the Code of Alabama 1975, Section 36-12-40, "every citizen has a right to inspect and take a copy of any public writing in this state, except as otherwise expressly provided by statute." Records must be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975, Sections 36-12-2, 36-12-4, and 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Department of Agriculture and Industries records. Copies of superseded schedules are no longer valid and should be discarded.
- The RDA establishes retention and disposition instructions for records, regardless of the medium on which those records may be kept.
- Electronic mail is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain other record-related materials need not be retained as records under the disposition requirements in this RDA. They may be disposed of, without notice of destruction, in whatever way the agency determines best. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period

required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and have become obsolete; (4) transitory records, which are temporary records created for short-term internal purposes that may include, *but are not limited to*: telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about department social activities, such as a note to a group going to lunch.

- Any record created prior to 1900 shall be regarded as permanent unless there is a specific action by the State Records Commission to authorize its destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Department of Agriculture and Industries and lists the groups of records created and/or maintained by the department a result of activities and transactions performed in carrying out these subfunctions. The department may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

■ Promulgating Rules and Regulations

MEETING MINUTES OF THE STATE BOARD OF AGRICULTURE AND INDUSTRIES
Disposition: PERMANENT RECORD.

MEETING MINUTES OF THE AGRICULTURE CENTER BOARD (ACB)
Disposition: PERMANENT RECORD.

MEETING MINUTES OF THE ALABAMA AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION
Disposition: PERMANENT RECORD

MEETING MINUTES OF THE ALABAMA PUBLIC LIVESTOCK MARKET BOARD
Disposition: PERMANENT RECORD.

Recordings of Meetings
Disposition: Temporary Record. Retain until the official minutes are adopted and signed.

POLICIES AND PROCEDURES MANUALS
Disposition: PERMANENT RECORD.

Administrative Procedures Rule Filings
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records

were created.

Register of Administrative Procedures Rule Filings

Disposition: Retain in office (Code of Alabama 1975, Section 41-22-6)

Administrative Code Books (Agency Copy)

Disposition: Temporary Record. Retain until superseded.

■ **Regulating**

Regulating Agricultural Commodities (Feed, Fertilizer, and Lime Materials)

Records documenting applications for and issuance/renewal of annual licenses /permits for manufacturers of agricultural commodities (feed, fertilizer, and lime materials)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Monthly agriculture commodity sale and receipt reports submitted by business entities

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the inspection of agricultural product samples

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting activities relating to the investigation of consumer complaints

Disposition: Temporary Record. Retain 5 years after the case was closed.

Records documenting the testing and analysis of samples by the department's regulatory laboratories

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Laboratory Log Books

Disposition: Temporary Record. Retain 3 years after the last entry.

Records documenting activities relating to the audit of agricultural commodity business entities

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Examinations completed by milk testers

Disposition: Retain for useful life.

Regulating Livestock and Poultry

Records documenting livestock (cattle and swine) disease testing and eradication activities

Disposition: Temporary Record. Records of infected animals: Retain 15 years.

Records of non-infected animals: Retain 10 years.

Certificates of Veterinary Inspections (copies) completed by Alabama accredited veterinarians
Disposition: Temporary Record. Retain 5 years.

Records documenting applications for and issuance/renewal of annual permits / certificates for poultry related businesses
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting applications for and issuance/renewal of annual permits for livestock markets, dealers, haulers, and weighers
Disposition: Temporary Record. Retain 5 years.

Livestock Market Transaction Tickets
Disposition: Temporary Record. Retain 5 years.

RECORDS DOCUMENTING THE REGISTRATION OF LIVESTOCK BRANDS
Disposition: PERMANENT RECORD.

Records documenting the examinations and diagnosis of animal species by the department's veterinary diagnostic laboratories
Disposition: Temporary Record. Retain 10 years after the end of the fiscal year in which the records were created.

Records documenting activities relating to the investigation and settlement of livestock or farm-related complaints and crimes
Disposition: Temporary Record. Retain 5 years after the case was closed.

Regulating Warehouses/Gins

Records documenting applications for and issuance/renewal of annual permits/licenses for cotton buyers, public ginners, public warehousemen, and grain dealers
Disposition: Temporary Record. Retain 5 years.

Regulating Plants and Plant Pests

Records documenting applications for and issuance/renewal of annual certificates/permits for nurseries, nursery retail dealers, sweet potato growers, honeybee colonies, and ginseng dealers
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the inspections of regulated business entities
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

BOLL WEEVIL ERADICATION PROGRAM FILES

Disposition: PERMANENT RECORD.

Boll Weevil Eradication Program Referendum Ballots

Disposition: Temporary Record. Retain 5 years or until completion of next referendum.

Records documenting the audit of the Boll Weevil Eradication Program operation related activities

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting filings of assessment forms by cotton producers

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

State and federal compliance agreements filed by nurseries/nursery dealers

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the business entity was closed.

ANNUAL PLANT QUARANTINE ACTIVITY SUMMARIES

Disposition: PERMANENT RECORD.

Records documenting the quarantine process for plants imported to the state

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the quarantine process was completed.

Records documenting the purchase and export of ginseng by dealers

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Regulating Seed

Records documenting applications for and issuance/renewal of annual permits for seed related businesses

Disposition: Temporary Record. Retain 5 years.

Records documenting the testing and analysis of seed samples collected from business entities

Disposition: Temporary Record. Retain 5 years.

Records documenting the testing and analysis of seed samples submitted by individual farmers/gardeners

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Regulating Shipping Point Operations

Records documenting grain, fruit, and vegetable shipping point inspections

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the testing and analysis of nuts, corn, and peanut products by the department's aflatoxin laboratory

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Regulating Food, Drug, and Cosmetics

Records documenting applications for and issuance/renewal of annual permits for egg and dairy businesses

Disposition: Temporary Record. Retain 5 years.

Records documenting the inspections of food and drug warehouses/retail establishments

Disposition: Temporary Record. Retain 5 years.

Reports and correspondence documenting the testing and analysis of samples collected by the department's regulatory laboratory

Disposition: Temporary Record. Retain 5 years after the end of the fiscal year in which the records were created.

Records documenting activities relating to the investigation and settlement of consumer complaints
Disposition: Temporary Record. Retain 5 years after the case was closed.

Records documenting the inspection of egg packing facilities by the U.S. Department of Agriculture
Disposition: Temporary Record. Retain 5 years.

Records documenting the inspection of poultry products distributed into school programs by the U.S. Department of Agriculture

Disposition: Temporary Record. Retain 5 years.

Regulating Meat and Poultry Food Products

Slaughter House/Processing Plant Application and Compliance Agreement Files

Disposition: Temporary Record. Retain 3 Years after the establishment ceased operation.

Slaughter House/Processing Plant Violation Case Files

Disposition: Temporary Record. Retain 3 Years after the establishment ceased operation.

Records documenting the inspections of slaughter houses/processing plants

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Regulating Petroleum Products

Records documenting applications for and issuance/renewal of annual permits for gasoline, lubricating oil, and brake fluid related business entities

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting monthly inspection fees collected by the department on petroleum products sold, stored, used, or offered for sale in the state

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Petroleum Commodity Certificates for Reduced Inspection Fee Rate

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the company was closed.

Records documenting specific and continuous reporting information for companies marketing petroleum products.

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the company is closed or discontinued business in the state.

Records documenting insurance/surety bonds filed by petroleum product marketing companies

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the company was closed or fails to renew bonds.

Monthly sales and receipts computer cross match printouts.

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting activities relating to the audit of petroleum product marketing companies

Disposition: Temporary Record. Retain 5 years or until completion of next audit.

Monthly petroleum commodity fee collection worksheets

Disposition: Temporary Record. Retain 5 years.

Regulating Pesticide Management

Monthly reports of termite inspection/eradication activities submitted by termite control companies
Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting insurance/surety bonds filed by termite control companies

Temporary Record. Retain 7 years after the end of the fiscal year in which the company was closed.

Records documenting applications for and issuance/renewal of annual pesticide licenses/permits

Temporary Record. Retain 3 years after the end of the fiscal year in which the last license/permit was issued.

Records documenting the annual registration with the department of all pesticides sold, distributed, or transported within the state

Temporary Record. Retain 3 years after the end of the fiscal year in which the registration was expired.

Records documenting the compliance inspections and sample analysis of pesticide manufacturers/dealers

Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting activities relating to the investigation of consumer complaints

Temporary Record. Retain 7 years after the end of the fiscal year in which the records were created.

Regulating Weights and Measures

Records documenting the inspection of light duty/heavy duty weight scales or measuring devices

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the testing of weight/measuring equipment by the department's metrology laboratory

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting applications for and issuance/renewal of annual weight master certificates

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the certificate holder becomes inactive.

Records documenting the process of annual registration of weights and measures equipment service personnel

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the registrant became inactive.

Records documenting departmental inspectors' daily work recapitulation

Disposition: Temporary Record. Retain 5 years after the end of the fiscal year in which the records were created.

■ Promoting

"ALABAMA EXPERTS IN THE FIELD" STATE LOGO PROGRAM FILES

Disposition: PERMANENT RECORD.

INFORMATIONAL AND PROMOTIONAL PUBLICATIONS

Disposition: PERMANENT RECORD.

NEWS RELEASES

Disposition: PERMANENT RECORD.

ALABAMA CENTURY & HERITAGE FARM PROGRAM FILES

Disposition: PERMANENT RECORD.

MEETING MINUTES OF THE ALABAMA AGRICULTURAL DEVELOPMENT AUTHORITY (AADA)

Disposition: PERMANENT RECORD.

AADA Loan Participation Files

Disposition: Temporary Record. Retain 3 years after the loan was paid in full.

AADA Bond Issue Files

Disposition: Temporary Record. Retain 3 years after the bond was redeemed.

AADA Members' Appointment and Service Files

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the term was expired.

ANNUAL REPORTS OF THE ALABAMA AGRICULTURAL MEDIATION PROGRAM

Disposition: PERMANENT RECORD.

Alabama Agricultural Mediation Program Individual Case Files

Disposition: Temporary Record. Retain 5 years after the case was closed.

Records documenting the receipt of gate fees, weighing service fees, and rents for the Montgomery State Farmers Market

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

■ **Compiling Statistics**

DETAILED LIVESTOCK AND HAY QUOTATIONS

Disposition: PERMANENT RECORD.

ANNUAL ALABAMA AGRICULTURAL STATISTICS

Disposition: PERMANENT RECORD

■ Administering Internal Operations

Managing the Agency:

ANNUAL REPORTS

Disposition: PERMANENT RECORD.

Division/Office Supporting Documents for the Departmental Annual Reports

Disposition: Temporary Record. Retain until the annual report was published or no longer useful.

Board/Commission Members' Appointment and Service Files

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the term was expired.

Commissioner's Daily Reminder Engagement Books

Disposition: Temporary Record. Retain for useful life.

COMMISSIONER'S CORRESPONDENCE

DISPOSITION: PERMANENT RECORD.

OPINIONS OF LEGAL COUNSEL

DISPOSITION: PERMANENT RECORD.

General Correspondence/Memoranda

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Departmental Publication Mailing Listings

Disposition: Temporary Record. Retain until superseded.

Reference Files

Disposition: Temporary Record. Retain for useful life.

Legal Case Files

Disposition: Temporary Record. Retain 10 years after the final disposition of the case.

Administrative Hearing Case Files

Disposition: Temporary Record. Retain 5 years after the final disposition of the case.

Board of Adjustment Case Files

Disposition: Temporary Record. Retain 5 years after the final disposition of the case.

Legislation Tracking Files

Disposition: Temporary Record. Retain 5 years.

Records documenting the implementation of the department's approved RDA (copies of transmittal forms to the Archives and the State Records Center, evidence of obsolete records destroyed, and annual reports to the State Records Commission)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Copies of RDA

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the RDA is superseded.

Computer systems documentation (hardware/software manuals and diskettes, warranties, records of access/authorities, file naming conventions, Y2K records)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exists anywhere in the agency and all permanent records have been migrated into a new system.

Managing Finances:

Records documenting the preparation of a budget package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of original entry or routine accounting transactions, such as journals, registers, ledgers, and funds deposited outside the state treasury.

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the collection of standard regulatory fees (permits, licenses, certificates, assessment, and inspections, etc.) and deposit of the money into the appropriate fund/account.

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the transaction occurred.

Blank/Voided Permits/Licences or Receipts

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Grant Project Financial Records and Interim Reports

Disposition: Temporary Record. Retain 6 years after submission of the final financial report.

Records documenting requests for authorization from supervisors to travel on official business either within or outside the state, and other related materials, such as travel reimbursement forms
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting contracts for services or personal property
Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process, including requests for proposals and unsuccessful responses
Disposition: Retain in office (Code of Alabama 1975, Section 41-16-24)

Agency Audit Reports
Disposition: Temporary Record. Retain 6 years after the end of the fiscal year in which the records were created.

Bad Check Files
Disposition: Temporary Record. Retain 3 years after the final disposition of the case.

Business Bankruptcy Files
Disposition: Temporary Record. Retain 3 years after the final disposition of the case.

Notice and Release of Lien Files
Disposition: Temporary Record. Retain 3 years after the account was satisfied.

Uncollectible Liens
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Managing Human Resources:

Position Classification Files
Disposition: Temporary Record. Retain 4 years after position is reclassified.

Application Materials
Disposition: Temporary Record. Retain 1 year.

Records documenting payroll (e.g. pre-payroll reports, payroll check registers)
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting payroll deduction authorizations
Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting payroll deductions for tax purposes (including Form 941)
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting employee hours worked, leave earned, and leave taken

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's work history - generally maintained as a case file

Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.

Records documenting employees' daily and weekly work schedules

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's hours worked, leave earned, and leave taken (including time sheets)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting sick leave donations

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Employee Flexible Benefits Plan Files

Disposition: Temporary Record. General information -- Retain until superseded.

Other (applications, correspondence) -- Retain 6 years.

State Employee Injury Compensation Trust Fund Files

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Equal Employment Opportunity Commission Case Files

Disposition: Temporary Record. Retain 3 years.

Managing Properties, Facilities, and Resources:

REAL PROPERTY FILES

Disposition: PERMANENT RECORD.

Semiannual Inventory Lists

Disposition: Retain in office. (Code of Alabama 1975, Section 36-16-8 [1]).

Transfer of State Property Forms (SD-1) (Agency copies)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Property Inventory Cards and/or Computer Files

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the items were removed from inventory.

Receipts of Responsibility for Property

Disposition: Temporary Record. Retain until return of item to property manager.

Real Property Leasing/Renting Records

Disposition: Temporary Record. Retain 6 years after expiration of the lease.

Facilities/Building Security Records (including visitor logs)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the ownership and disposition of vehicles owned by the agency

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the vehicle was removed from the property inventory.

Motor Pool Vehicle Use Records

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Insurance Policies/Risk Management Records

Disposition: Temporary Record. Retain 6 years after termination of policy or membership.

Building Maintenance Work Orders

Disposition: Temporary Record. Retain 1 year.

Approval of Records Disposition Authority

By signing this agreement the Department of Agriculture and Industries acknowledges its responsibilities for the proper management of its records and agrees to abide by the implementation guidelines listed below:

- The Department of Agriculture and Industries will designate a managerial position as the agency records officer. This position is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the department, for coordinating the transfer and destruction of records, for ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, for submitting an annual report on records management activities to the State Records Commission in April of each year, and for ensuring the regular implementation of the department's approved RDA.
- Permanent records in the Department of Agriculture and Industries' custody will be maintained under proper intellectual control, and in an environment that will ensure their physical order and preservation.

- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis-for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA's provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The department should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the department chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records' permanent preservation and accessibility.
- The Department of Agriculture and Industries agrees to allow the State Records Commission, its staff, and the Examiners of Public Accounts to examine the condition of the permanent records maintained in the custody of the department and to inspect records destruction documentation. Government Records Division archivists are available to train the department staff in RDA implementation and otherwise assist the department in implementing its records management program.

This records disposition authority is hereby adopted.

By: _____ Date: _____
Charles Bishop, Commissioner
Department of Agriculture and Industries

By: _____ Date: _____
Edwin C. Bridges, Chairman
State Records Commission